

Message

From: Laws, Meredith [Laws.Meredith@epa.gov]
Sent: 3/2/2017 8:58:07 PM
To: Goodis, Michael [Goodis.Michael@epa.gov]
Subject: FW: Telone PRD Contact
Attachments: R089-026 Curfew Sec 24c FL-990014 Turf 25May11f.doc

Mike – fyi. The link below is a news story that is about the situation that is involved in the Senator Nelson/Sherada response situation. Meg left me a voice mail saying that she is now working with FEAD for a communications strategy.

Meredith

From: Hathaway, Margaret
Sent: Thursday, March 02, 2017 3:03 PM
To: Laws, Meredith <Laws.Meredith@epa.gov>
Cc: Conde, Rosaura <Conde.Rosaura@epa.gov>; Zinn, Nicole <Zinn.Nicole@epa.gov>; Friedman, Dana <Friedman.Dana@epa.gov>; Costello, Kevin <Costello.Kevin@epa.gov>; Jakob, Avivah <Jakob.Avivah@epa.gov>
Subject: FW: Telone PRD Contact

Also, here is a news article from Tampa giving background on why this is coming up now:

<http://www.tampabay.com/news/business/agriculture/controversial-chemical-curfew-reemerges-to-treat-infestations-at-tampa/2312803>

- Meg

From: Hathaway, Margaret
Sent: Thursday, March 02, 2017 2:53 PM
To: Laws, Meredith <Laws.Meredith@epa.gov>
Cc: Conde, Rosaura <Conde.Rosaura@epa.gov>; Zinn, Nicole <Zinn.Nicole@epa.gov>; Friedman, Dana <Friedman.Dana@epa.gov>; Costello, Kevin <Costello.Kevin@epa.gov>; Jakob, Avivah <Jakob.Avivah@epa.gov>
Subject: RE: Telone PRD Contact

Hi Meredith:

I cracked the mystery on this one. A Dow rep. told me that I was looking at an outdated version of the Curfew FL SLN label from 2003, and that the newest SLN label (from May 2011) includes requirements to **both** follow the 100 ft application setback from occupied structures and post signs 30 ft from the edge of the treated application area to notify bystanders. This is the “30 foot buffer” the FL citizens are talking about. **However**, I just received a Word copy of the May 2011 SLN from Dow, and I frankly agree that the wording is very confusing on the SLN label. Unlike the 2003 FL label, the 2011 FL label makes no mention of the 100 ft. buffer required by the Section 3 label. All the 2011 FL label says is:

“Buffer Zone: A buffer zone of at least 30 feet around each application area must be established. An application of Curfew shall not be made within 30 feet of land not under the control of the owner/operator unless written permission is obtained from the property owner to allow such land to be included as part of the buffer zone.”

If this 30 ft. business is really talking about sign posting as Dow says, I suggest we need to talk to FL about rewording this SLN. Also, do applicators know they need to follow the 62719-32 label requirements in addition to the 24c labeling?

- Meg

P.S. Debra McCormack from FL called me again today. I spoke on the phone with her, then sent her information on PPLS.

Margaret Hathaway (Meg)
Chemical Review Manager
U.S. Environmental Protection Agency
OCSPP: Office of Pesticide Programs
Pesticide Re-Evaluation Division RMIB II
hathaway.margaret@epa.gov
(703) 305-5076

From: Hathaway, Margaret
Sent: Thursday, March 02, 2017 11:41 AM
To: Laws, Meredith <Laws.Meredith@epa.gov>
Cc: Conde, Rosaura <Conde.Rosaura@epa.gov>; Zinn, Nicole <Zinn.Nicole@epa.gov>; Friedman, Dana <Friedman.Dana@epa.gov>; Costello, Kevin <Costello.Kevin@epa.gov>; Jakob, Avivah <Jakob.Avivah@epa.gov>
Subject: RE: Telone PRD Contact

Hi Meredith:

All the evidence I've seen is that FL's SLN label is more restrictive, not less, than the federal label, as we would hope.

My FL contact never sent me a current copy of their FL SLN (FL990014), but if it's still [this version](#) that I found online, the SLN label specifies buffers of 100ft: **"Buffer Zone:** An application of Curfew shall not be made within 100 feet of an occupied structure, such as a school, hospital, business or residence." This FL SLN language removes the time of last application element that the 2006 Section 3 62719-32 label includes. For good measure I also checked the most recent version of the 62719-32 label (a 2011 notification) version of label and saw the buffer is still 100 ft, using exactly the same language as I copied in my last email.

The woman I spoke to from FL last week also believed the buffers were less than 100 ft. I am not sure how she and Mr. Lawson got this impression. I wonder if they are from the same community next to a golf course. It's possible that an applicator ignored our labels, but I'm not seeing a problem with the labels themselves.

- Meg

From: Laws, Meredith
Sent: Thursday, March 02, 2017 11:17 AM
To: Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Cc: Conde, Rosaura <Conde.Rosaura@epa.gov>; Zinn, Nicole <Zinn.Nicole@epa.gov>; Friedman, Dana <Friedman.Dana@epa.gov>; Costello, Kevin <Costello.Kevin@epa.gov>; Jakob, Avivah <Jakob.Avivah@epa.gov>
Subject: RE: Telone PRD Contact

Hi Meg: he told me has the telone label and a copy of the SLN. He couldn't remember if he got them from someone here or from Dow. I gave him information on how to get to the docket.

He knows what the buffers are. He believes they have been reduced and wants to know why.

Meredith

From: Hathaway, Margaret
Sent: Thursday, March 02, 2017 8:36 AM
To: Laws, Meredith <Laws.Meredith@epa.gov>
Cc: Conde, Rosaura <Conde.Rosaura@epa.gov>; Zinn, Nicole <Zinn.Nicole@epa.gov>; Friedman, Dana <Friedman.Dana@epa.gov>; Costello, Kevin <Costello.Kevin@epa.gov>; Jakob, Avivah <Jakob.Avivah@epa.gov>
Subject: RE: Telone PRD Contact

Thanks Meredith:

Did you already show Mr. Lawson a 62719-32 label or direct him to PPLS? That would be a good action if you haven't already done so. I've attached the 2006 version for you to send in case that's helpful. I'm guessing that buffer info would be of interest to this citizen. The 62719-32 label, like that for other 1,3-D only products, has a 100ft buffer from certain things that is time-dependent on the frequency of applications. The 1,3-D products mixed with chlorpicrin have a different buffer system based on that ai. Here is the exact wording of 62719-32's buffer language:

-Buffer Zone: An application of Telone II shall not be made within 100 feet of an occupied structure, such as a school, hospital, business or residence. No person shall be present at this structure at any time during the seven consecutive day period following application. This buffer zone does not apply to use on soils that will not experience an additional 1,3-D treatment for at least three years. For example, on soils to be planted with fruit trees, nut and nursery crops, perennial vines, hops, mint or pineapple. Note: Telone II shall not be applied to soils more frequently than once each year.

- Meg

From: Costello, Kevin

Sent: Thursday, March 02, 2017 7:12 AM

To: Laws, Meredith <Laws.Meredith@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>; Jakob, Avivah <Jakob.Avivah@epa.gov>

Cc: Conde, Rosaura <Conde.Rosaura@epa.gov>; Zinn, Nicole <Zinn.Nicole@epa.gov>; Friedman, Dana <Friedman.Dana@epa.gov>

Subject: RE: Telone PRD Contact

Meg,

Go ahead and follow up, and if he calls me I will send him your way.

Kevin

From: Laws, Meredith

Sent: Wednesday, March 01, 2017 3:26 PM

To: Hathaway, Margaret <Hathaway.Margaret@epa.gov>; Jakob, Avivah <Jakob.Avivah@epa.gov>

Cc: Conde, Rosaura <Conde.Rosaura@epa.gov>; Zinn, Nicole <Zinn.Nicole@epa.gov>; Costello, Kevin <Costello.Kevin@epa.gov>; Friedman, Dana <Friedman.Dana@epa.gov>

Subject: RE: Telone PRD Contact

The citizen is Robert Lawson. He is concerned about telone use on a golf course that is in the middle of his neighborhood with the houses very close to the treatment areas. He has questions about the buffers for the FL SLN (FL990014) that is based on EPA Reg. No. 62719-32, Curfew.

I sent him to the docket, and gave him Kevin's contact information (Outlook froze on me this morning, I just got it back so I had sent Mr. Lawson the email before I saw your email Meg).

I talked to him last night, he's very nice.

Thank you all,
Meredith

From: Hathaway, Margaret

Sent: Wednesday, March 01, 2017 12:27 PM

To: Jakob, Avivah <Jakob.Avivah@epa.gov>

Cc: Conde, Rosaura <Conde.Rosaura@epa.gov>; Zinn, Nicole <Zinn.Nicole@epa.gov>; Laws, Meredith <Laws.Meredith@epa.gov>; Costello, Kevin <Costello.Kevin@epa.gov>; Friedman, Dana <Friedman.Dana@epa.gov>

Subject: RE: Telone PRD Contact

Yes, and If the citizen is Debra McCormack from Florida, I've already been in touch, showed her some labels, and helped direct her to FL's regional contact. Here's an attachment of my correspondence.

- Meg

From: Jakob, Avivah

Sent: Wednesday, March 01, 2017 12:10 PM

To: Hathaway, Margaret <Hathaway.Margaret@epa.gov>

Cc: Conde, Rosaura <Conde.Rosaura@epa.gov>; Zinn, Nicole <Zinn.Nicole@epa.gov>; Laws, Meredith <Laws.Meredith@epa.gov>; Costello, Kevin <Costello.Kevin@epa.gov>

Subject: Telone PRD Contact

Hi Meg,

Access Database has you listed as the CRM from Telone. Is that still correct?

RD received a call from a citizen abt Telone and Meredith Laws is trying to touch base with the current contact here in PRD. Can you please touch base with her today?

Thanks!

Avivah Jakob

Team Leader, Risk Management Implementation Branch III

Pesticide Re-evaluation Division, Office of Pesticide Programs

U.S. Environmental Protection Agency

703-305-1328

Jakob.avivah@epa.gov